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8 UNITED STATES DISTRICT COURT
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9 NORTHERN DISTRICT OF CALIFORNIA

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11 CARSON PRIDDY AND PATRICIA PRIDDY) Case No. 3:08-CV-04070 SI
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13 Plaintiffs,)
14) STIPULATION AND PROPOSED
15 vs.) ORDER TO REMAND CASE TO
16 A.W. CHESTERTON COMPANY, et. al.,) ALAMEDA COUNTY SUPERIOR
17 Defendants.) COURT
18)
19) Courtroom: Courtroom 10, 19th Floor
19) San Francisco, California
20)
21) The Honorable Susan Illston
22)
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1 **STIPULATION**

2 Plaintiffs Carson and Patricia Priddy, and Defendant Foster Wheeler LLC, by and through their
3 respective counsel, hereby stipulate to Foster Wheeler LLC's withdrawal of its notice of removal. By
4 such stipulation, Plaintiffs and Defendant Foster Wheeler LLC respectfully request this court to
5 immediately remand this case to state court.

6 IT SO STIPULATED:

7 Dated: October 8, 2008

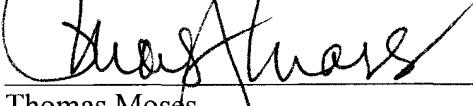
8 **LEVIN SIMES KAISER & GORNICK LLP**

9 By: 

10 Jeffrey A. Kaiser
11 Attorneys for Plaintiff

12 Dated: October 8, 2007

13 **BRYDON HUGO & PARKER**

14 By: 

15 Thomas Moses
16 Attorneys for Defendant
17 Foster Wheeler LLC

1 [PROPOSED] ORDER
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5 Good cause appearing from Foster Wheeler LLC's stipulated withdrawal of its notice of removal, this
6 court hereby orders this case immediately remanded to state court.
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Dated October ___, 2008

Susan Illston
Hon. Susan Illston